

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

NURI R. SERMON, No. 23393-076,

Petitioner,

v.

ERIC WILLIAMS, Warden,

Respondent.

Case No. 22-cv-1242-JPG

ORDER

This matter comes before the Court on petitioner Nuri R. Sermon's amended petition for writ of *habeas corpus* pursuant to 28 U.S.C. § 2241 (Doc. 3). The petitioner is incarcerated at the Federal Correctional Institute at Greenville, Illinois, where respondent Eric Williams is the warden. The petitioner is challenging his sentence on the grounds that, in light of *Mathis v. United States*, 579 U.S. 500 (2016), and *Borden v. United States*, 141 S. Ct. 1817 (2020), he was erroneously sentenced as an armed career criminal under the enhanced statutory sentencing range of the Armed Career Criminal Act ("ACCA"), 18 U.S.C. § 924(e). After a preliminary review pursuant to Rule 4 of the Federal Rules Governing Section 2254 Cases in United States District Courts, the Court ordered the respondent to respond, which he has (Docs. 9 & 10). Sermon has replied by asking for voluntary dismissal of his petition (Doc. 13). He states that he has come to realize his arguments are foreclosed by current law. The Court hereby **GRANTS** Sermon's motion for voluntary dismissal, **DISMISSES** his amended § 2241 motion (Doc. 3) **without prejudice**, and **DIRECTS** the Clerk of Court to close this case.

IT IS SO ORDERED.

DATED: August 30, 2022

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE